

LPDES/NPDES PERMIT NO. LA0049492, AI No. 4634

LPDES/NPDES FACT SHEET and RATIONALE

FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM
(LPDES)/NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO
DISCHARGE TO WATERS OF LOUISIANA AND WATERS OF THE UNITED STATES

- I. Company/Facility Name:** LOOP LLC
Deepwater Port Complex
Post Office Box 7250
Metairie, Louisiana 70010-7250
- II. Issuing Offices:** Louisiana Department of Environmental Quality
(LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
- United States Environmental Protection Agency,
Region 6 (USEPA)
Water Quality Protection Division (6WQ-PP)
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Dallas, Texas 75202
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Date Prepared: January 11, 2008

IV. Permit Action/Status:

A. Reason For Permit Action:

Proposed reissuance of an expired Louisiana Pollutant Discharge Elimination System (LPDES)/National Pollutant Discharge Elimination System (NPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46*.

The LDEQ and the USEPA propose to reissue LPDES/NPDES permit LA0049492 jointly. Outfalls 001, 002, and 015 discharge into federal waters which fall within the regulatory jurisdiction of the USEPA. Outfalls 004, 005, 006, 007, 008, 012, 018, 020, 021, 023, 024, 025, 026, and 027 discharge into state waters which fall within the regulatory jurisdiction of the LDEQ.

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- * Dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC Chapter 11) will not have dual references.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.2301.F, 4901, and 4903.

- B. LPDES/NPDES permit: Effective date - February 1, 2003
 Minor Modification date - October 1, 2003
 Minor Modification date - July 1, 2004
 Expiration date - January 31, 2008

LPDES Hydrostatic Test General Permit (LAG679021):
 Effective date - February 1, 2008
 Issuance date - January 10, 2008
 Expiration date - January 31, 2013

- C. Date Application Received: The permit renewal application was received on August 3, 2007. Supplemental information needed to complete the permitting process was received on February 20, 2008, March 14, 2008, and March 31, 2008.

V. Facility Information:

- A. Location - 224 East 101 Place in Cutoff, Lafourche Parish
 (Latitude 29°27'45", Longitude 90°18'20")

[NOTE: This permittee's operations consists of an offshore petroleum offloading terminal located in federal waters (Gulf of Mexico) and onshore pipeline and storage facilities located in Lafourche Parish.]

Outfalls 001, 002, and 015 - Grand Isle Block 59 in the Gulf of Mexico; Outfall 004 - 2.5 miles south of the beach at Fourchon (Gulf of Mexico); Outfalls 005 and 006 - Small Boat Harbor, 439 A.J. Estay Road in Port Fourchon; Outfalls 007 and 020 - between the LOOP Operations Center and Warehouse located at 224 East 101 Place in Galliano; Outfalls 008 and 012 - LOOP Clovelly Dome Storage Terminal

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Facility located on LOOP Access Road in Galliano; Outfalls 018 and 023 - LOOP Fourchon Booster Station in Port Fourchon; Outfalls 021, 024, 025, 026, and 027 - Clovelly Tank Facility located on Airport Road in Galliano.

- B. Applicant Activity - According to the application, LOOP LLC, Deepwater Port Complex, operates an offshore petroleum offloading terminal and onshore pipeline and storage facilities for the transportation of crude oil. Crude oil is offloaded from supertankers at the port and transported via pipeline to the Clovelly Dome Storage Terminal Facility (CDSTF) and the Clovelly Tank Facility (CTF). These storage facilities provide interim storage for crude oil before it is delivered via pipelines to refineries. The CDSTF uses brine, stored in a 280-acre Brine Storage Reservoir, to displace crude oil from the caverns for injection into the pipelines. LOOP also operates the Small Boat Harbor facility, the Fourchon Booster Station, and the Operations Center and Warehouse in support of the activities at the facility.
- C. Technology Basis - (40 CFR Chapter 1, Subchapter N/Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903)

Guideline

Not Applicable

Reference

Not Applicable

Other sources of technology based limits:

Current LPDES/NPDES permit (effective February 1, 2003)
 LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA)
 Light Commercial Facilities General Permit (LAG480000)
 Class I Sanitary General Permit (LAG530000)
 Best Professional Judgement

- D. Fee Rate -
1. Fee Rating Facility Type: Major
 2. Complexity Type: II
 3. Wastewater Type: II
 4. SIC codes: 4612, 4463, and 5171

VI. Receiving Waters:

- A. Gulf of Mexico (Outfalls 001, 002, 004, and 015); Bayou Lafourche (Outfalls 005 and 006); Breton Canal (Outfalls 007, 008, 012, and 020); Bayou Moreau (Outfalls 018 and 023); LL&E Canal (Outfalls 021, 024, and 025); and the Reservoir Canal (Outfalls 026 and 027)
- B. River Basin: Barataria, Subsegment Nos. 020403, 020801, 020905, and 021102

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C. Designated Uses:

Subsegment Nos. 020403, 020905, and 021102

The designated uses are primary contact recreation, secondary contact recreation, fish and wildlife propagation, and oyster propagation (Gulf of Mexico, Bayou Lafourche, and Bayou Moreau).

Subsegment No. 020801

The designated uses are primary contact recreation, secondary contact recreation, and fish and wildlife propagation.

VII. Outfall Information:

Outfall 001

- A. Type of wastewater - Stormwater from the oily water system
- B. Location - At the point of discharge through the sea sump 45 feet below the surface of the water adjacent to the pumping platform at the Marine Terminal prior to combining with other waters (Latitude 28°53'06", Longitude 90°01'30")
- C. Treatment - Oil/Water Separator
- D. Flow - Intermittent
- E. Receiving waters - Gulf of Mexico
- F. Basin and subsegment - Barataria, Subsegment No. 021102

Outfalls 002, 006, 007, 008, 023, and 024

- A. Type of wastewater - Treated sanitary wastewater
- B. Location - At the point of discharge from the sanitary treatment system at the following locations prior to combining with other waters:

Outfall 002 - Control Platform at the Marine Terminal (Latitude 28°53'06", Longitude 90°01'30")

Outfall 006 - Small Boat Harbor (Latitude 29°07'02", Longitude 90°12'35")

Outfall 007 - Between the Operations Center and Warehouse (Latitude 29°27'46", Longitude 90°18'14")

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Outfall 008 - Beneath the Control Building at the Clovelly Dome Storage Terminal Facility (Latitude 29°28'25", Longitude 90°15'12")

Outfall 023 - Fourchon Booster Station in Port Fourchon (Latitude 29°09'22", Longitude 90°10'30")

Outfall 024 - Clovelly Tank Facility (Latitude 29°27'01", Longitude 90°16'00")

- C. Treatment - Extended aeration system
- D. Flow - 0.0024 MGD (Outfall 002), 0.0003 MGD (Outfall 006), 0.0015 MGD (Outfall 007), 0.0003 MGD (Outfall 008), 0.0001 MGD (Outfall 023) and 0.0001 MGD (Outfall 024)
- E. Receiving waters - Gulf of Mexico (Outfall 002), Bayou Lafourche (Outfall 006), Breton Canal (Outfall 007 and 008), Bayou Moreau (Outfall 023), and the LL&E Canal (Outfall 024)
- F. Basin and subsegment - Barataria, Subsegment No. 021102 (Outfall 002); Barataria, Subsegment No. 020403 (Outfall 006); Barataria, Subsegment No. 020801 (Outfalls 007, 008, and 024); and Barataria, Subsegment No. 020905 (Outfall 023)

Outfall 004

- A. Type of wastewater - Brine
- B. Location - At the point of discharge from the brine diffuser located 2.5 miles southeast of the mouth of Bayou Lafourche approximately 30 to 35 feet below the surface of the water prior to combining with other waters (Latitude 29°06'16", Longitude 90°06'47")
- C. Treatment - None
- D. Flow - Intermittent, 8.15 MGD (30-Day Maximum)
- E. Receiving waters - Gulf of Mexico
- F. Basin and subsegment - Barataria, Subsegment No. 021102

Outfall 005

- A. Type of wastewater - marine cargo hose testing water, wash water from the oil spill equipment cleaning activities, and stormwater runoff
- B. Location - At the point of discharge from the pipe exiting the secondary containment area around the Oil/Water Separator tank located at the Small Boat Harbor prior to combining with other waters (Latitude 29°07'06", Longitude 90°12'38")

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- C. Treatment - Oil/Water Separator
- D. Flow - Intermittent, 0.0654 MGD (30-Day Maximum)
- E. Receiving waters - Bayou Lafourche
- F. Basin and Subsegment - Barataria, Subsegment No. 020403

Outfalls 012, 018, 020, 021, 025, 026, and 027

- A. Type of Wastewater - Stormwater runoff
- B. Location - At the point of discharge from the following locations prior to combining with other waters:

Outfall 012, from the pipe exiting the secondary containment area around the Auxiliary Tank (east side of LOOP Access Road) at the Clovelly Dome Storage Facility (Latitude 29°28'19", Longitude 90°15'07")

Outfall 018, from the pipe exiting the secondary containment area around the Fourchon Booster Station in Port Fourchon (Latitude 29°09'25", Longitude 90°10'37")

Outfall 020, from the pump at the secondary containment area around the gasoline tanks located adjacent to the Warehouse in Galliano (Latitude 29°27'47", Longitude 90°18'13")

Outfall 021, from the pipe exiting the secondary containment area located on the northeast side of the Clovelly Tank Facility (Latitude 29°27'03", Longitude 90°16'03")

Outfall 025, from the pipe exiting the secondary containment area located on the northwest side of the Clovelly Tank Facility (Latitude 29°27'03", Longitude 90°16'13")

Outfall 026, from the pipe exiting the secondary containment area located on the east side of the Clovelly Tank Facility (Latitude 29°26'52", Longitude 90°16'03")

Outfall 027, from the pipe exiting the secondary containment area located on the southeast side of the Clovelly Tank Facility (Latitude 29°26'41", Longitude 90°16'03")

- C. Treatment - None
- D. Flow - Intermittent
- E. Receiving waters - Breton Canal (Outfalls 012 and 020); Bayou Moreau (Outfall 018); LL&E Canal (Outfalls 021 and 025); and the Reservoir Canal (Outfalls 026 and 027)
- F. Basin and subsegment - Barataria, Subsegment No. 020801 (Outfalls 012, 020, 021, 025, 026, and 027) and Barataria, Subsegment No. 020905 (Outfall 018)

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Outfall 015

- A. Type of wastewater - Non-contact cooling water
- B. Location - At the point of discharge from the Pumping Platform at the Marine Terminal prior to combining with other waters (Latitude 28°53'06", Longitude 90°01'30")
- C. Treatment - Chlorination
- D. Flow - Continuous, 4.32 MGD (30-Day Maximum)
- E. Receiving waters - Gulf of Mexico
- F. Basin and subsegment - Barataria Basin, Subsegment No. 021102

VIII. Current Effluent Limits:

See Appendix B - LPDES/NPDES permit limits

IX. Proposed Permit Limits:

Summary of Proposed Changes From the Current LPDES/NPDES Permit:

A. Outfall 004

The reporting requirement for Temperature will be removed from the draft permit since there is no heat load exchange associated with the discharges from this outfall.

When using an oxygen scavenger, the permittee is required to maintain a detectable Dissolved Oxygen (DO) level in the brine pipeline at all times. Therefore, a requirement to submit a report of the mean DO level and the range of DO on a monthly basis will be added to the draft permit. This provision was established in the 1990 NPDES permit; however, it was inadvertently not included in the current LPDES permit. This report shall be submitted to the Office of Environmental Compliance on a monthly basis as an addendum to the DMRs due by the 15th day of each month.

B. Outfall 005

The permittee requested that the limit and monitoring requirement for COD be removed from this outfall due to interference in the COD analysis caused by the chloride content from the marine hose testing water. Water used to perform marine hose testing is taken from Bayou Lafourche which has a high chloride content. The permittee indicated that analyses were performed on water samples collected from Bayou Lafourche which revealed COD results well above 100 mg/L. Based on information obtained from the LDEQ laboratory and the contract laboratory, COD analyses of samples containing a high chloride content results in a situation where a COD result can not be detected. Therefore, the requirements for COD will be removed from this outfall in the draft permit.

C. Outfalls 002, 006, 007, 008, and 023

A monthly average limit for BOD₅, TSS, and/or Fecal Coliform will be established in the draft permit by BPJ based on the Class I Sanitary

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General Discharge Permit (LAG530000), as applicable, in keeping with the standard practices of this Office for permitting treated sanitary wastewater discharges from industrial facilities.

D. Outfall 006

The limit and monitoring requirement for Total Residual Chlorine (TRC) will be removed from the draft permit. The sanitary wastewater from this outfall is routed to a treatment system (no chlorination provided) prior to discharging to a sanitary drain field. Although there have been no discharges to State waters from this outfall since the 1980s, the permittee has requested to retain this outfall to allow the flexibility of having an alternate source of discharge. Therefore, the requirements for TRC will be removed from this outfall in the draft permit.

The monthly average limit for Fecal Coliform of 14 Colonies/100 ml will be established in the draft permit since this outfall discharges to a waterbody which is located in a subsegment (020403) listing "Oyster Propagation" as a designated use. This limit will be established by BPJ and is consistent with the Class I Sanitary Discharge General Permit (LAG530000).

E. Outfall 015

The parameter name "Chlorine" will be changed to reflect "Total Residual Chlorine" based on the parameter description for STORET Code 50060 in the Permit Compliance System.

A requirement to report the influent and effluent results for TOC on DMRs, which is used to determine the net value, will be added to the draft permit. This requirement is established by BPJ and is consistent with the Light Commercial Facilities General Permit (LAG480000).

The Whole Effluent Toxicity (WET) testing dilution series for Marine Acute Biomonitoring at this outfall will be changed to reflect 1.2%, 1.6%, 2.1%, 2.8%, and 3.7% (with 2.8% defined as the biomonitoring critical dilution). The monitoring frequency will be once per quarter using a 24-Hour Composite sample. In addition, the monitoring requirement for coefficient of variation for each toxicity testing species will be added to be consistent with the requirements for reporting biomonitoring results. This revision is based on correspondence (dated February 18, 2008) from Max Forbes and a recommendation memorandum from the Technical Support Section. See Appendix A for the Biomonitoring Recommendation.

Updated Part II conditions for the Marine Acute Biomonitoring requirements will be established in the draft permit.

F. Outfalls 021 and 025

Due to the size and difficulty in draining all of the stormwater runoff from the containment area at the Clovelly Tank Facility, the permittee has requested that an additional outfall be added. The limits and monitoring requirements for the new outfall are consistent with the LDEQ Stormwater Guidance. The monitoring frequency will be once per quarter using a grab sample. The new outfall will be designated as Outfall 025.

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Outfall 021 will be designated as a representative outfall for Outfall 025 in the draft permit based on the discharges having substantially identical effluents. Therefore, the permittee may test the effluent of Outfall 021 (the designated representative outfall) and report that the quantitative data also applies to Outfall 025. Discharge Monitoring Report (DMR) submittal using the representative sample data is required for Outfall 025.

In the 2007 Application, the permittee requested that Outfall 021 be redesignated as Outfall 021A and the new outfall be designated as Outfall 021B. However, based on Permit Compliance System coding procedures, the naming nomenclature for outfalls can only consist of three characters. Therefore, the outfall designation for Outfall 021 will remain unchanged and Outfall 021B will be changed to reflect Outfall 025.

G. Outfall 022

The permittee requested that this outfall be removed from the draft permit since the stormwater runoff from this outfall has been rerouted to discharge through Outfall 012. Therefore, this outfall will be removed from the draft permit.

H. Outfall 023

The limits for Fecal Coliform will be changed to reflect a monthly average and weekly average of 14 Colonies/100 ml and 43 Colonies/100 ml, respectively, since this outfall discharges to a waterbody which is located in a subsegment (020905) listing "Oyster Propagation" as a designated use. These limits will be established by BPJ and are consistent with the Class I Sanitary Discharge General Permit (LAG530000).

I. Outfall 024

The permittee has requested that this outfall be added to the draft permit for treated sanitary wastewater. The limits and monitoring requirements will be established by BPJ and are consistent with the Class I Sanitary Discharge General Permit (LAG530000). The monitoring frequency will be once per six months using a grab sample.

J. Outfalls 026 and 027

The permittee has requested that these outfalls be added for stormwater runoff from the containment area surrounding the six proposed crude oil storage tanks to be located adjacent to the six existing tanks at the Clovelly Tank Facility. The limits and monitoring requirements are consistent with the LDEQ Stormwater Guidance. The monitoring frequency will be once per quarter using a grab sample.

Outfall 026 will be designated as a representative outfall for Outfall 027 in the draft permit based on the discharges having substantially identical effluents. Therefore, the permittee may test the effluent of Outfall 026 (the designated representative outfall) and report that the quantitative data also applies to Outfall 027. Discharge Monitoring Report (DMR) submittal using the representative sample data is required for Outfall 027.

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In the 2007 Application, the permittee requested that these new outfalls be designated as Outfalls 025A and 025B. However, based on Permit Compliance System coding procedures, the naming nomenclature for outfalls can only consist of three characters. Therefore, these outfalls have been redesignated as Outfalls 026 and 027, respectively.

- K. In an effort to adequately evaluate the discharges from Outfalls 024 and 026, a provision requiring the submittal of analytical data not provided in the 2007 Application will be added to the reopener clause in Part II, Paragraph K of the draft permit. This provision requires the facility to submit analytical data for these outfalls within one (1) year after the effective date of the permit in accordance with LAC 33:IX.2501.G.7.c (Outfall 024) and LAC 33:IX.2511.C.1.a.v (Outfall 026). Upon submittal of the analytical data, the LDEQ may choose to modify this permit to change the effluent limits based on this information.
 - L. Minor changes were made to the wording in the outfall location descriptions for all of the outfalls to either condense and/or clarify the descriptions.
 - M. The facility discharges to a Water Quality Act 303(d) stream. Therefore, a reopener clause will be added to Part II of the draft permit in the event that the permit requires reassessment regarding 303(d) status resulting in incorporation of the results of any future Total Maximum Daily Load (TMDL) allocation for the receiving waterbodies.
 - N. Updated Part II conditions for stormwater discharges associated with industrial activities will be established in the draft permit.
 - O. The provision in Part II, Paragraph Q that required submittal of DMRs to the LDEQ Regional Office will be removed from the draft permit. All DMRs sent to the Office of Environmental Compliance/Permit Compliance Unit are now scanned into the Electronic Document Management System which is accessible to all LDEQ personnel.
- X. **Permit Limit Rationale:**

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. Also set forth are any calculations or other explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under LAC 33:IX.2707/40 CFR Part 122.44 and reasons why they are applicable or an explanation of how the alternate effluent limitations were developed.

A. TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at LAC 33:IX.2707.L.2.b/40 CFR Part 122.44(l)(2)(ii), the draft permit limits are based on either technology-based effluent limits pursuant to LAC 33:IX.2707.A/40 CFR Part 122.44(a) or on State water quality standards and requirements pursuant to LAC 33:IX.2707.D/40 CFR Part 122.44(d), whichever are more stringent.

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B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Regulations promulgated at LAC 33:IX.2707.A/40 CFR Part 122.44(a) require technology-based effluent limitations to be placed in LPDES permits based on effluent limitations guidelines where applicable, on BPJ (best professional judgement) in the absence of guidelines, or on a combination of the two. The following is a rationale for types of wastewaters. See outfall information descriptions for associated outfall(s) in Section VII.

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity [LAC 33:IX.2715/40 CFR 122.48(b)] and to assure compliance with permit limitations [LAC 33:IX.2707.I./40 CFR 122.44(i)]. All monitoring frequencies are based upon BPJ and/or consistent with frequencies established in the current permit. The Whole Effluent Toxicity testing frequency is based upon recommendations from the Technical Support Section (See Appendix A).

The proposed effluent limits, monitoring requirements, sample types, and basis of permit limits in the draft permit are as follows:

1. Outfall 001 - Stormwater from the oily water system

Stormwater is discharged from the oily water system located on the Pumping Platform at the Marine Terminal in the Gulf of Mexico, Grand Isle Block 59. The discharge is through the sea sump 45 feet below the surface of the water adjacent to the pumping platform and will receive a BPJ limit and monitoring requirement consistent with the current permit as follows:

No discharge of free oil. Monitoring shall be performed once per day when discharging during conditions when an observation of a visual sheen on the surface of the receiving water is possible in the vicinity of the discharge and the facility is manned.

2. Outfalls 002 (*2), 007, 008, and 024 - Treated sanitary wastewater

Parameter	Monthly Average	Weekly Average	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Flow (MGD)	Report	Report	1/6 months	Estimate	Current permit; LAG530000
BOD ₅	30	45	1/6 months	Grab	Current permit; LAG530000
TSS	30	45	1/6 months	Grab	Current permit; LAG530000
Fecal Coliform (Colonies/ 100 ml)	200	400	1/6 months	Grab	Current permit; LAG530000

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Parameter	Monthly Average	Weekly Average	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
pH (Standard Units)	6.0 (min.)	9.0 (max.)	1/6 months	Grab	Current permit; LAG530000

(*1) When discharging.

(*2) The discharges from Outfall 002 shall only be monitored for Flow, BOD₅, TSS, and pH.

3. Outfalls 006 and 023 - Treated sanitary wastewater

Parameter	Monthly Average	Weekly Average	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Flow (MGD)	Report	Report	1/6 months	Estimate	Current permit; LAG530000
BOD ₅	30	45	1/6 months	Grab	Current permit; LAG530000
TSS	30	45	1/6 months	Grab	Current permit; LAG530000
Fecal Coliform (Colonies/ 100 ml)	14	43	1/6 months	Grab	Current permit; LAG530000
pH (Standard Units)	6.0 (min.)	9.0 (max.)	1/6 months	Grab	Current permit; LAG530000

(*1) When discharging.

4. Outfall 004 - Brine

Parameter	Monthly Average	Daily Maximum	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Flow (MGD)	Report	Report	1/day	Estimate	Current permit
Oil and Grease	10	15	1/day	Grab	Current permit

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Parameter	Monthly Average	Daily Maximum	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Total Dissolved Solids	Report	Report	1/week	Grab	Current permit
Chloride	Report	Report	1/month	Grab	Current permit
pH (Standard Units)	6.0 (min.)	9.0 (max.)	1/week	Grab	Current permit

(*1) When discharging.

Site-Specific Considerations

The discharges from this outfall flow through a subsurface, multi-port diffuser located in the Gulf of Mexico. The following conditions shall be met:

- A. The permittee shall operate the diffusion system for brine disposal to achieve a maximum rate of diffusion while minimizing the area which may be adversely affected.
 - B. If the permittee uses an oxygen scavenger, the concentration shall be no greater than 18 ppm K_2SO_3 /ppm DO or 10 ppm NH_4HSO_3 /ppm DO. The permittee shall maintain a detectable DO level in the pipeline at all times. A report of the mean DO level and the range of DO shall be provided to LDEQ on a monthly basis as an addendum to the DMRs due by the 15th day of each month.
 - C. After leaching operations are completed and during prolonged periods of static operations (i.e. no discharge) a corrosion inhibitor may be used to protect the brine line from corrosion. The permittee will notify the LDEQ prior to the addition of an inhibitor, and also prior to the discharge of pipeline volume upon termination of static operations. Discharge concentration shall in no case exceed 100 mg/L.
5. Outfall 005 - marine cargo hose testing water, wash water from the oil spill equipment cleaning activities, and stormwater runoff

Parameter	Monthly Average	Daily Maximum	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Flow (MGD)	Report	Report	1/month	Estimate	Current permit
TOC	---	50	1/month	Grab	Current permit

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Parameter	Monthly Average	Daily Maximum	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Oil and Grease	---	15	1/month	Grab	Current permit
pH (Standard Units)	6.0 (min.)	9.0 (max.)	1/month	Grab	Current permit

(*1) When discharging.

6. Outfalls 012, 018, 020, 021, 025, 026, and 027 - Stormwater runoff

Parameter	Monthly Average	Daily Maximum	Measurement Frequency (*1)	Sample Type	Reference
	unless otherwise stated (mg/L)				
Flow (MGD)	Report	Report	1/quarter	Estimate	Current permit
TOC	---	50	1/quarter	Grab	Current permit
Oil and Grease	---	15	1/quarter	Grab	Current permit
pH (Standard Units)	6.0 (min.)	9.0 (max.)	1/quarter	Grab	Current permit

(*1) When discharging

Site-Specific Considerations

Outfalls 021 and 026 will be designated as representative outfalls for Outfalls 025 and 027, respectively. The permittee may test the effluent at Outfalls 021 and 026 and report that the quantitative data also applies to the appropriate substantially identical outfall (Outfalls 025 and 027). The permittee must include the following information in the facility's pollution prevention plan: location of the outfalls; why the outfalls are expected to discharge substantially identical effluents; estimates of the size of the drainage area (in square feet) for each of the outfalls; and an estimate of the runoff coefficient of the drainage areas (low: under 40%; medium: 40% to 65%; and high: above 65%).

Storm Water Pollution Prevention Plan (SWP3) Requirements

In accordance with LAC 33:IX.2707.I.3 and [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all storm water discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. The Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit, along with other requirements. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference to

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the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of stormwater associated with industrial activity, as defined in LAC 33:IX.2522.B.14 [40 CFR 122.26(b)(14)].

7. Outfall 015 - Non-contact cooling water

Parameter	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Reference
	unless otherwise stated (mg/L)				
Flow (MGD)	4.32	5.4	1/month	Estimate	Current permit
TOC (net) (*3)	---	5	1/month	Grab	Current permit
Oil and Grease	---	15	1/month	Grab	Current permit
Total Residual Chlorine (*2)	0.5	1.0	1/week	Grab	Current Permit
pH (Standard Units)	6.0 (min.)	9.0 (max.)	1/month	Grab	Current permit
Biomonitoring (*1)	See Section C	See Section C	1/quarter	24-hour Composite	See Section C

(*1) Biomonitoring shall only be required during periods of chlorination or other biocide usage. The permittee shall notify the LDEQ and USEPA no later than 30 days prior to commencement of its chlorination activities.

(*2) Total Residual Chlorine (TRC) shall only be monitored during periods of chlorination or other biocide usage.

(*3) Simultaneous sampling of the effluent and influent shall be required to establish the net value. The influent, effluent, and net value shall be reported on the DMR.

TMDL Waterbodies

Outfalls 001, 002, 004 and 015

Subsegment No. 021102 of the Barataria Basin is not listed on the 2006 Final Integrated 303(d) List since the TMDL for Mercury in Fish Tissue for Coastal Bays and Gulf Waters of Louisiana was finalized on July 8, 2005. According to the TMDL report, "the majority of mercury in the environment is from air emissions and most mercury reductions will be achieved through Clean Air Act regulations". The required load reductions are expected to come from nonpoint sources; therefore, no reductions from point sources are being required at this time.

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Outfalls 005 and 006

Subsegment No. 020403 of the Barataria Basin is not listed on the 2006 Final Integrated 303(d) List as being impaired.

Outfalls 018 and 023

Subsegment No. 020905 of the Barataria Basin is listed on the 2006 Final Integrated 303(d) List as being impaired with fecal coliform. To date, no Total Maximum Daily Loading (TMDL) assessment has been completed for this subsegment. Based on an evaluation of these discharges, it was determined that the permittee does have the potential to discharge fecal coliform from Outfall 023. Therefore, limits and monitoring requirements for fecal coliform have been established at this outfall.

Outfalls 007, 008, 012, 020, 021, 025, 024, 026, and 027

Subsegment No. 020801 of the Barataria Basin is not listed on the 2006 Final Integrated 303(d) List as being impaired.

A reopener clause will be placed in Part II of the draft permit to allow for more stringent or additional limits or requirements to be placed in the permit, if needed, as a result of any future TMDLs.

C. Biomonitoring Requirements

It has been determined that there may be pollutants present in the effluent which may have the potential to cause toxic conditions in the receiving stream. The State of Louisiana has established a narrative criteria which states, "toxic substances shall not be present in quantities that alone or in combination will be toxic to plant or animal life." The Office of Environmental Services requires the use of the most recent EPA biomonitoring protocols. See Appendix A for the Biomonitoring Recommendation.

Whole effluent biomonitoring is the most direct measure of potential toxicity which incorporates both the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity. The biomonitoring procedures stipulated as a condition of this permit for Outfall 015 are as follows:

TOXICITY TESTS

FREQUENCY

Acute static renewal 48-hour
 definitive toxicity test
 using Mysidopsis bahia

1/quarter

Acute static renewal 48-hour
 definitive toxicity test
 using inland silverside minnow
 (Menidia beryllina)

1/quarter

The draft permit additionally requires the reporting of the coefficient of variation (larger of the low-flow and control dilutions) for each test species.

Toxicity tests shall be performed in accordance with protocols described in the latest revision of the "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms." The stipulated test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the State water quality

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standards. The biomonitoring frequency has been established to reflect the likelihood of ambient toxicity and to provide data representative of the toxic potential of the facility's discharge in accordance with regulations promulgated at LAC 33:IX.2715/40 CFR Part 122.48.

Results of all dilutions as well as the associated chemical monitoring of pH, temperature, hardness, dissolved oxygen, conductivity, and salinity shall be documented in a full report according to the test method publication mentioned in the previous paragraph. The permittee shall submit a copy of the first full report to the Office of Environmental Compliance. However, the full report and subsequent reports are to be retained for three (3) years following the provisions of Part III.C.3 of this permit. The permit requires the submission of certain toxicity testing information as an attachment to the Discharge Monitoring Report.

This permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body. Modification or revocation of the permit is subject to the provisions of LAC 33:IX.3105/40 CFR 124.5. Accelerated or intensified toxicity testing may be required in accordance with Section 308 of the Clean Water Act.

Dilution Series

The permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional effluent concentrations shall be 1.2%, 1.6%, 2.1%, 2.8%, and 3.7%. The low-flow effluent concentration (biomonitoring critical dilution) is defined as 2.8% effluent.

X. Compliance History/DMR Review:

- A. LDEQ records were reviewed for the period February 2006 through February 2008. No water enforcement actions were issued during this time period.
- B. A DMR review of the monitoring reports for the period of January 2006 through January 2008 revealed that there were no effluent violations.
- C. The most recent inspection was performed on December 18, 2007. There were no areas of concern noted in the inspection report.

XI. "IT" Questions - Applicant's Responses

The "IT" Questions along with the permittee's responses can be found in the 2007 Application (dated August 2, 2007). See Appendix C.

XII. Endangered Species:

The receiving waterbodies, Subsegment Nos. 020403, 020801, 020905, and 021102 of the Barataria Basin are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ).

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EPA has reviewed this strategy and has determined that the reissuance of Permit No. LA0049492 will have "no effect" on listed threatened and endangered species nor will adversely modify designated critical habitat. EPA makes this determination based on the following:

1. No changes have been made to the US Fish and Wildlife list of threatened and endangered species and critical habitat designation in the area of the discharge since prior issuance of the permit.
2. EPA concluded "no effect" during the previous issuance of the permit on January 21, 2003, and has received no additional information since then which would lead to revision of that "no effect" determination.
3. EPA determines that Items 1 and 2 above result in no change to the environmental baseline established by the previous permit, therefore, EPA concludes that reissuance of this permit will have "no effect" on listed species and designated critical habitat.

Based on this strategy, and in accordance with the Memorandum of Understanding between the LDEQ and the FWS, LDEQ also concludes that no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

XIII. Historic Sites:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

XIV. Ocean Discharge Criteria Evaluation:

For discharges into waters of the territorial sea, contiguous zone, and the oceans, the Clean Water Act (CWA) section 403 requires USEPA to consider guidelines for determining potential degradation of the marine environment prior to the issuance of NPDES permits. These guidelines (Ocean Discharge Criteria - 40 CFR 125, Subpart M) are intended to "prevent unreasonable degradation of the marine environment and to authorize imposition of effluent limitations, including a prohibition of discharge, if necessary, to ensure this goal" (Preamble - 45 FR 65942, October 3, 1980). USEPA has previously determined that discharges in compliance with the Western Gulf of Mexico Outer Continental Shelf General Permit (GMG290000) will not cause unreasonable degradation of the marine environment (69 FR 39478, June 30, 2004). Based on information provided in the 2007 Application, the permittee addressed each factor under 40 CFR 125.124 (Information Required to be Submitted by the Applicant) and certified that there have been no modifications to the existing offshore discharges since the issuance of the current permit. Therefore, since the draft permit establishes limits which will protect water quality and reduce the discharge of toxic pollutants to the marine environment, the

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USEPA finds that the discharges proposed to be authorized by the draft permit will not cause unreasonable degradation of the marine environment.

Magnuson-Stevens Fisheries Conservation and Management Act. The Magnuson-Stevens Fisheries Conservation and Management Act requires federal agencies proposing to authorize actions that may adversely affect essential fish habitat to consult with National Marine Fisheries Service (NMFS). The entire Gulf of Mexico has been designated Essential Fish Habitat. EPA has determined that this permit issuance will not adversely affect essential fish habitat. The Agency will seek concurrence from NMFS before the final permit is issued.

Coastal Zone Management Act. EPA has determined that the activities which are proposed to be authorized by this permit reissuance are consistent with the local and state Coastal Zone Management Plans. The proposed permit and consistency determination were jointly made by EPA and the LDEQ.

XV. Tentative Determination:

On the basis of preliminary staff review, the Department of Environmental Quality and the United States Environmental Protection Agency, Region 6 have made a tentative determination to reissue a permit for the discharge described in the application.

XVI. Variances:

No requests for variances have been received by this Office.

XVII. Public Notices:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the fact sheet. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper(s) of general circulation

Office of Environmental Services Public Notice Mailing List

United States Environmental Protection Agency Public Mailing List